IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2761 OF 2005

Parshuram Bapu Shinde ..Petitioner

Vs.

State of Maharashtra ..Respondent

...

Ms.S.S.Kaushik Advocate (appointed) for Petitioner
Mr.A.S.Gadkari, A.P.P. for Respondent-State

...

**CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.**

**DATE : MARCH 7, 2006**

**P.C.:**

1. Heard the learned advocate for the petitioner and learned A.P.P. for Respondent-State.

2. The petitioner has applied for furlough. Report of the police dated 17th December, 2004 was shown to us, but even from that report, there are no serious objections of the police for grant of furlough to this petitioner. Learned A.P.P. states that there is no police chowky in the neighbourhood nor any police patil is there and surety is residing at Shindewadi which is at a

distance of 7 kms. from the place of residence of the petitioner and therefore, surety may not be able to keep watch. This cannot be a reason for refusing the furlough to the petitioner. Therefore, we direct that the petitioner be released on furlough for a period of 14 days from the date of his release upon furnishing surety as per Rules. The petitioner will mark his presence on every 4th day to the nearest police station during the aforesaid period.

3. Copy of this order be sent to the prison authorities by **Speed Post.** Office to issue appropriate writ.

4. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]